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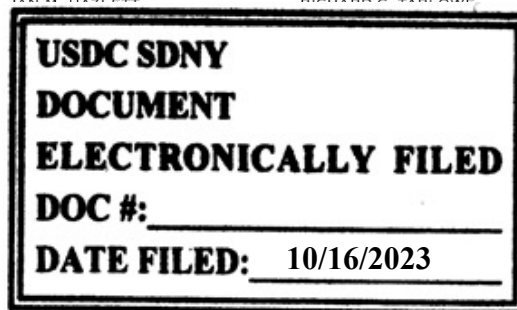
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DAVID C. TARTAGLIA**MEMO ENDORSED**

October 16, 2023

By ECFMagistrate Judge Katharine H. Parker
United States District Court
Southern District of New York
500 Pearl St., Courtroom 17D
New York, NY 10007

*NOT ADMITTED TO THE NEW YORK BAR

Re: *Williams v. City of New York*, No. 1:22-cv-03819 (S.D.N.Y.)

Dear Judge Parker:

We represent Plaintiff Alexander Williams and write to request an adjournment of the upcoming settlement conference currently scheduled for October 20, 2023, to a date in November that is convenient for the Court. This adjournment is necessary because Mr. Williams has been transferred to different correctional facilities twice in recent weeks—a situation that is no fault of anyone involved in this matter—which has resulted in us being unable to speak with Mr. Williams to review the discovery record produced by Defendants. Doing so is necessary to have a productive settlement conference. We have conferred with counsel for Defendants, who indicated they consent to this request, but will be unavailable on November 21, 2023. This is Plaintiff's first request for an adjournment of the scheduled conference.

At the prior settlement conference on July 31, 2023, the Court ordered Defendants to provide the complete discovery record to Plaintiff's counsel for the purposes of information Plaintiff's position on an appropriate settlement amount. Defendants indicated that executing a protective order was a necessary pre-condition to providing the discovery record. The parties

agreed on the form of a stipulated protective order and submitted it to the Court on August 30, 2023. (Dkt. 95.) Defendants subsequently provided the discovery record to us on September 8, 2023, which consisted of seven video files totaling several hours, as well as Defendants' initial disclosures, interrogatory responses, and nearly 300 pages of documents.¹

Plaintiff's counsel immediately began reviewing the produced materials. We also sought to schedule a call with Mr. Williams, so as to review the discovery with him and discuss an appropriate settlement position.

Since receiving the materials, however, Mr. Williams—who remains incarcerated—has been transferred twice, which has interfered with our ability to schedule calls with him. On or about September 13, 2023, Mr. Williams was transferred to Elmira Correctional Facility. After his transfer, we were able to schedule a legal call with him for October 9, 2023. Then, on or about October 5, 2023—before our scheduled call—Mr. Williams was transferred again, this time to Auburn Correctional Facility. We have requested a legal call with Mr. Williams from Auburn Correctional Facility, but to date the Facility has not scheduled one.

Because reviewing the discovery record with Mr. Williams is necessary to have a productive settlement conference, we respectfully request that the Court reschedule the conference for a date in November that is convenient to the Court (other than November 21, when Defendants' counsel is unavailable). We thank the Court for its attention to this matter and stand ready to answer any questions the Court may have.

Respectfully submitted,

/s/ Robert J. O'Loughlin

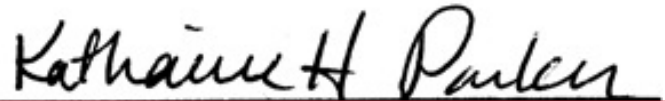
Robert J. O'Loughlin

cc: Daniel J. Beller, Esq.
Moses Silverman, Esq.
Hillary Black, Esq.
Shimeng (Simona) Xu, Esq.
Christie Ho Lam Wan, Esq.

¹ Defendants produced three additional video files on October 13, 2023.

APPLICATION GRANTED: The video settlement conference in this matter scheduled for Friday, October 20, 2023 at 9:00 a.m. is hereby rescheduled to **Friday, December 8, 2023 at 10:00 a.m.** It is ORDERED that the Warden or other official in charge of the Auburn Correctional Facility produce **Plaintiff Alexander Williams, Jr., DIN No. 23-B-3963/NYSID 01897858L, on Friday, December 8, 2023 no later than 10:00 a.m.** to a suitable location in the Facility that is equipped with a computer with internet service, for the purpose of participating in the conference. If the scheduled time and date presents a hardship, the Warden or Warden's designee should promptly inform chambers by calling (212) 805-0234. The video conference will be held via Teams and the Court will send the Teams link to counsel for Defendant and pro bono counsel in advance of the conference. Pro bono counsel and Defense Counsel shall make sure the Facility has the Teams link so that Plaintiff can join the conference. Defendants must send the person(s) with decision making authority to settle the matter to the conference. Defendants' counsel must send this Order to the Warden or other official in charge of the Facility immediately. **Defendants shall email a copy of this order to Plaintiff's pro bono counsel: Robert J. O'Loughlin - 1285 Avenue of the Americas New York, New York 10019-6064 The Clerk of Court is requested to mail a copy of this order to Plaintiff.**

APPLICATION GRANTED

A handwritten signature in black ink, appearing to read "Katharine H. Parker", is written over a horizontal line.

Hon. Katharine H. Parker, U.S.M.J.

10/16/2023